

**Amendment to the Claims:**

Claims 1-11, 13-29, 31-35, 50, 51 and 54-177 are pending in this application. This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1-53 (CANCELLED):

54 (CURRENTLY AMENDED): An image sensing apparatus comprising:

a driving device that moves an image sensing optical system to image sensing and non image sensing regions; and

a determination device that judges at least whether said image sensing apparatus is in a first state of being functionally connected with an external unit, whether said apparatus is in a second state for image sensing without being functionally connected with the external unit, and whether said apparatus is in a third state for playback without being functionally connected with the external unit, individually, said determination device also determining an operation of said driving device in accordance with a judgment result of said determination device,

wherein said determination device causes said driving device to move the image sensing optical system to the non image sensing region, in a case where said determination device judges that said image sensing apparatus is released from the first state.

55 (PREVIOUSLY PRESENTED): An image sensing apparatus according to claim 54, wherein said determination device causes said driving device to move the image sensing optical system to the image sensing region, in a case where said determination device judges that said image sensing apparatus is in the first state.

56 (CANCELLED):

57 (PREVIOUSLY PRESENTED): An image sensing apparatus according to claim 54, wherein said determination device causes said driving device to move the image sensing optical system to the image sensing region, in a case where said determination device judges that said image sensing apparatus is in the first state, in response to a reception of a signal related to image sensing start from the external unit.

58 (PREVIOUSLY PRESENTED): An image sensing apparatus according to claim 57, wherein said determination device causes said driving device to move the image sensing optical system to the non image sensing region, in a case where said determination device judges that said image sensing apparatus is in the first state, in response to a completion of an image sensing operation of said image sensing apparatus.

59 (PREVIOUSLY PRESENTED): An image sensing apparatus according to claim 57, wherein said determination device comprises a timer for causing said driving device to move the image sensing optical system to the non image sensing region, in a case where said determination device judges that said image sensing apparatus is in the first state, a predetermined time period after a completion of an image sensing operation of said image sensing apparatus.\

60 (PREVIOUSLY PRESENTED): An image sensing apparatus according to claim 59, wherein in a case where the signal related to image sensing start is received again from the external unit during the predetermined time period, said determination device prevents said driving device from moving the image sensing optical system to the non image sensing region after the predetermined time period elapses.

61 (PREVIOUSLY PRESENTED): An image sensing apparatus according to claim 54, wherein said determination device prevents said driving device from moving the image sensing optical system to the image sensing region in a case where said determination device judges that said image sensing apparatus is in the first state.

62 (PREVIOUSLY PRESENTED): An image sensing apparatus according to claim 54, wherein in a case where said determination device judges that said image sensing apparatus is in the first state, said determination device causes said driving device to move the image sensing optical system to the non image sensing region in response to a completion of an image sensing operation of said image sensing apparatus.

63 (PREVIOUSLY PRESENTED): An image sensing apparatus according to claim 54, wherein said determination device comprises a timer for causing said driving device to move the image sensing optical system to the non image sensing region a predetermined time period after a completion of an image sensing operation of said image sensing apparatus, in a case where said determination device judges that said image sensing apparatus is in the first state.

64-177 (CANCELLED):